

**RICHMOND POLICE DEPARTMENT GENERAL ORDER**

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be constructed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Chapter 4	Number 6	Effective Date 09/15/2009	Review Date 2012
Subject OUTSIDE (EXTRA-DUTY AND OFF-DUTY) EMPLOYMENT			☐ New Order ☒ Replaces G.O. 105-1 (01/07/05) E.O. 05-06 (03/24/06)
References CALEA 22.3.3, 22.3.4a, 22.3.4b, 22.3.4c, 22.3.4d, 22.3.4e VLEPSC PER.04.01, PER.04.02a, PER.04.02b, PER.04.02c, PER.04.02d, PER.04.02e City of Richmond Personnel Rules 2.15, 6.16 Administrative Regulation 5.5 Code of Virginia 46.2-812 Fair Labor Standards Act General Order 2-3			
 _____ Chief of Police or Designee		09/15/09 _____ Date	

I. PURPOSE

The purpose of this Order is to set forth guidelines to govern outside employment by civilian and sworn members of the Richmond Police Department.

II. POLICY

The Richmond Police Department will permit employees to work approved outside employment that does not present a conflict of interest; does not violate any rules, regulations or procedures; and does not impair the employee's job performance. The Outside Employment Coordinator shall be assigned to the Financial Management Division. All outside employment will be coordinated and/or maintained by the Outside Employment Coordinator. Working outside employment is a privilege that can be revoked at any time by the Chief of Police or designee. Employees who do not abide by these policies and procedures may have the privilege of working outside employment revoked in addition to any other sanctioned disciplinary process.

III. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this general order. Failure to comply will result in appropriate corrective action. Responsibility rests with the Division Commander to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated.

IV. DEFINITIONS

A. OUTSIDE EMPLOYMENT – The provision of a service, whether or not in exchange for a fee or other consideration, which is outside the normal job for which an individual is employed by the City. There are two types of outside employment – “extra-*duty*” and “off-duty”.

1. ***Extra-Duty Employment*** - Any outside employment that is conditioned on the actual or ***potential use of law enforcement powers*** by the employee. There are two types of ***extra-duty*** employment:

a) Private Contract – The employer enters into an agreement that requires the employer to handle all payroll issues and make payments directly to the officer. There are four classifications of private contracts:

(1) Short term – one time or sporadic jobs coordinated by the ***Outside Employment*** Coordinator and posted on the ***Extra-Duty Billing (EDB) System***. ***Short term jobs will not exceed 14 calendar days.***

(2) On-going/small – Long-term jobs that have an assigned Job Coordinator and have less than ten officers in ***the*** eligibility pool.

(3) On-going/large – Long-term jobs that have an assigned Job Coordinator and ***may utilize more than ten officers in the eligibility pool.***

Note: Eligibility pools for these jobs must be developed following the “Fairness Rotation” selection procedures outlined in this policy.

b) City Contract - When another city department is the employer and makes payments to the officer through their department’s payroll. ***Officers will be compensated at the time and half rate.***

NOTE: Voter’s Registrar Assignments will be paid at the Extra-duty rate.

2. ***Off-Duty Employment*** – ***Any*** outside employment wherein the use of law enforcement powers is not anticipated.

NOTE: Any self-employment, volunteer or bartered work that involves the actual, potential or implied use of law enforcement powers will be treated as “***extra-duty Employment***” ***and will be worked by sworn personnel only. School Guards and Support Officers will be permitted to work extra-duty employment as it relates to Traffic Control Assignments.*** Otherwise, it will be treated as “***off-duty Employment***”, ***which can be worked by sworn and civilian personnel. Off-Duty Employment will not anticipate potential use of law enforcement powers.***

- B. **ELIGIBILITY POOL** – This is the group of officers that has received authorization to work *outside employment*. All Job Coordinators will staff jobs only with officers *in the assigned “pool”*. *The Fairness Rotation selection will be conducted by the Outside Employment Coordinator. Officers assigned to a pool are subject to call-back for that job pool. Officers will submit their monthly dates to the Job Coordinator. The Job Coordinator will utilize the Fairness Rotation when developing the monthly schedules. Officers that are consistently unavailable to work dates in the pool in which they are assigned, will be removed by the Outside Employment Coordinator and replaced by the next person on the waiting list for that pool. Officers that are removed from the pool will no longer be authorized to work the job in which he/she was removed. The Chief of Police or designee may require additional supervisory support as needed.*
- C. **EXTRA-DUTY BILLING (EDB)** – This is the web-enabled computer program that houses all *extra-duty* employment records. Employees will be able to view all *extra-duty* assignments, as well as *submit a request to work outside employment for short term jobs*.
- D. **FAIRNESS ROTATION SELECTION** – *The Extra-Duty Billing System will allow a period of time as designated in the announcement for personnel to request the job in the system. After the period has ended, the Outside Employment Coordinator will utilize the Extra-Duty Billing System program’s “Fairness Rotation.” The computer program will place the request of officers in order based on the fairness criteria. The fairness criteria will be based on how many jobs the officer is currently assigned to work, and when the Officer last worked.*
- E. **INITIAL TRAINING PERIOD** – The period of time a police recruit is under employment restrictions. This period ends one year after the employee’s graduation from the basic police academy.
- F. **COORDINATORS**
1. *Outside Employment Coordinator (OEC) – Supervisor that maintains the Outside Employment from the Financial Management Division. The OEC will oversee compliance of Outside Employment. OEC will coordinate job responsibilities described in this policy.*
 2. *Job Coordinator – A coordinator assigned by the OEC for a particular job. Job Coordinators shall schedule only officers that are authorized in the eligibility pool for that job and follow procedures described in this policy. Job Coordinators will be required to enter the monthly schedules for their job pool no later than the 15th of the month that proceeds. Any changes to the calendar must be sent to the Outside Employment Coordinator within 5 business days.*
 3. *Site Supervisor – Provides supervision at the job site and follows procedures described in this policy*

4. *Lieutenant and Above – Job coordinator for all large facilities and events requiring ten or more officers at any given time.*
5. *Captain and Above – The job coordinator position for the Richmond Coliseum, Center Stage and Convention Center will be the rank of Captain and above.*

V. PROCEDURE

A. Responsibilities:

Officers should be aware that outside employment is a **privilege** granted to employees. The Department may prohibit any and all officers from working in an outside capacity, particularly if such employment is detrimental to the Department.

1. In order to be eligible for outside employment, a police employee must be in good standing with the Department and have received at least a satisfactory rating on his/her last employee performance evaluation. Any employee who has an annual performance rating of less than “Satisfactory” shall be prohibited from working *extra*-duty for 12 months. Continued departmental approval of an employee’s outside employment is contingent on such good standing. *The OIC of the Personnel and Recruitment Unit is responsible for notifying the Outside Employment Coordinator of any unsatisfactory performance evaluations.*
2. *The Disciplinary Review Officer (DRO) shall notify the Outside Employment Coordinator of any disciplinary actions precluding an employee from working outside employment.*
3. Employees shall ensure their ability to perform (their regular work duties) and the quality of their work will not be adversely affected by any outside employment.
4. *Police personnel shall be limited to 5 job pool assignments at any one time.*
5. Personnel performing any type of outside employment are subject to Department Policies (General Orders and Executive Orders), City Administrative Regulations and City Personnel Rules.
6. Permission for a police employee to engage in outside employment may be revoked if it is determined that the employment is not in the best interest of the Department. Upon request, the Chief of Police or designee will review revocations.
7. Unsatisfactory performance while engaged in outside employment may result in departmental sanctions as well as the employee or officer being restricted from all outside employment. The *Outside* Employment Coordinator, the Job Coordinator *or Site Supervisor* will investigate and take the appropriate action. *The Job Coordinator or Site Supervisor must*

submit the findings of their investigations in writing to the Outside Employment Coordinator for filing. Unsatisfactory performance includes, but is not limited to:

- a) Unexcused tardiness
 - b) Failure to report for duty, after *being notified that the officer has been assigned a job through the POSS Extra Duty Billing System*
 - c) Improper performance or failure to perform the duties for which hired, *(to include violations of departmental policies)*
 - d) Unnecessarily congregating with others
 - e) Failure to follow instructions of site supervisor
 - f) *Failure to follow radio procedures as designated in this policy.*
 - g) *Failure to submit Extra-Duty Job Assignment Notification Report as required.*
8. Any police officer engaged in outside employment is subject to being called back to work in case of an emergency. If so, he/she is expected to return to duty, regardless of prior outside employment arrangements.
9. Any officer engaged in *extra*-duty employment who is injured or who uses force in any manner must report that fact to an on-duty *precinct* supervisor immediately. All departmental procedures will then be followed. If the assignment has an *extra*-duty supervisor, that individual should, if feasible, compile all necessary paperwork.
10. Any arrest made while off-duty must be reported to an on-duty supervisor. Court dates for arrests made while off-duty must be set on the officers assigned court dates.
11. *In the event multiple vendors (contracted employers) (i.e. multiple apartment complexes; multiple restaurants), collectively contract to hire an officer(s) for a specific assignment, a signed memorandum of understanding will accompany the contract to ensure all parties are aware of stipulations or guidelines set in place for the particular job being that several vendors/employers are involved in the contracted service.*

B. Regulations:

The following regulations are applicable to all outside employment.

1. Conflict of Interest - Outside employment will not be permitted if it constitutes a conflict of interest. Examples of some conflicts are:
- a) A bail bondsman or bounty hunter, a process server, reposessor, bill collector, towing of vehicles, or any other employment in which

police authority might tend to be used to collect money or merchandise for private purposes.

- b) Personnel investigations for the private sector or any employment, which might require the employee to have access to police information, files, records or services as a condition of employment.
- c) Any job in police uniform, requiring the performance of tasks other than that of a police nature.
- d) Assistance (in any manner) in case preparation for the defense in any criminal or civil action or proceeding.
- e) Employment by a business or labor group involved in a labor dispute or strike.
- f) ***Outside Employment while a police recruit is undergoing phase training constitutes a direct conflict of interest to the Training and Development Unit's mission to prepare individuals for Entry-level Law Enforcement.***

2. Status and Dignity - Outside employment will not be permitted if it constitutes a threat to the status or dignity of the police as a professional occupation. Examples of some threats are:

- a) Establishments that sell pornographic items, or provide entertainment or services of a sexual nature.
- b) Any gambling establishments not exempt by law.

3. Work Hour Restrictions:

- a) Employees may not engage in patrol overtime or outside employment (on-duty, ***extra***-duty, or a combination of both) for more than 16 hours in any consecutive 24 hours.
- b) No officers will work any combination of jobs that will cause them to drive a vehicle over 13 hours in any consecutive 24 hours.
- c) Department members must have at least eight hours rest during the 16 hour period prior to reporting to their regular Department assignment.
- d) No member of the Department shall work any combination of on-duty, patrol overtime, off-duty or extra employment totaling more than seventy- six (76) hours ***within a 7 day period*** without prior approval from the ***Outside*** Employment Coordinator. For the purposes of calculating the seven day total, the seven days will begin at midnight of ***Saturday*** and end at 2359 hours on ***Friday***.

- e) Employees may not work a combined total of more than 144 hours of ***patrol overtime, off-duty or extra employment*** in any consecutive four-weeks. This includes hours worked while on vacation, compensatory, and other leave. The only exceptions will be for work performed due to a primary job related emergency and due to court overtime or with prior approval from the ***Outside*** Employment Coordinator.

4. General Restrictions:

- a) Any employee may be required to discontinue outside employment if such outside employment activity or enterprise interferes with the employee's performance, attendance, promptness, ability to work overtime or ability to work emergency hours.
- b) Police recruits, shall not work "***Outside Employment***" in any capacity during their initial training period.
- c) Police officers on probation are prohibited from working ***extra-duty***. Police officers on probation may work department sponsored overtime (special initiatives, special assignments, patrol overtime, etc.) with the approval of the immediate supervisor. A supervisor should grant such approval only after he/she is sure the probationary officer has clearly demonstrated the ability to work without close supervision or guidance. This approval will be in writing and forwarded to the Training and Development Unit ***and a copy must be forwarded to the Outside Employment Coordinator for their file.***
- d) ***Lateral Officers with three (3) or more years prior law enforcement experience who are on probation must receive approval by his/her immediate supervisor to work extra-duty after the officer has displayed proficiency in his current assignment. The approval must be in writing and forwarded to the Chief of Police through channels. A approved copy must be forwarded to the Outside Employment Coordinator.***
- e) No supervisors will be allowed to work the same employment, at the same hours and be supervised by an employee of a lower rank ***even*** if the lower rank person coordinates the ***extra-duty*** employment. ***The Site Supervisor will always be the highest ranking officer working the event.***
- f) Captains and above shall not engage in ***extra-duty*** employment without the specific approval of the Chief of Police.
- g) ***Employees that are Immediate Family members as defined in General Order 2-3, "Assignment and Supervision of Family Members" are restricted from working extra-duty employment at the same working hours to include supervision of the family member during extra-duty employment.***

- h) The wearing of plainclothes during any *extra*-duty employment is prohibited without direct **written** approval of the Chief of Staff. Assignments will be performed in Class A or B uniform with all issued equipment. ***ALL protective details should be referred to the OIC of Special Events Division. All plainclothes requests must be made to the Outside Employment Coordinator no less than 30 days prior to the assignment date.***
- i) ***While Investigative assignments may have permission to wear beards and goatees while in plainclothes, these officers must conform to the policy on grooming for uniformed officers while in uniform. For example, while in uniform, male sworn officers will not wear beards or goatees.***
- j) Employees shall not engage in any outside employment during on-duty hours. This includes the sale of products, consulting, or scheduling appointments to meet with customers.
- k) Employees who are on injury leave shall not engage in off-duty or extra employment. Employees who are on leave without pay, light duty, have had their police powers suspended or on military leave or are on a probationary status may not engage in *extra*-duty employment or Department scheduled overtime.
- l) Employees who are not prohibited from working beyond the physician recommended light duty status may engage in department scheduled overtime for any positions: 1) that do not require the use of sworn police powers and 2) as long as the employee has the requisite skills required by the position.
- m) Employees who are on light duty may be restricted from ***off-duty*** employment depending upon the nature of the injury, the nature of the restrictions placed upon the employee for medical reasons and the nature of the ***off-duty*** employment.
- n) The determination of whether an employee on light duty may engage in ***off-duty*** employment will be made on a case by case basis by the Major of the affected service.
- o) Whenever an employee utilizes ***leave other than Vacation or Compensatory Leave***, he/she is prohibited from working any outside employment for a 24-hour period, e.g., an officer working 2100 –0700 shift calls in sick, the officer is then prohibited from working any outside employment until 2100 hours the next day. Any employee who will miss an *extra*-duty assignment due to illness must contact the ***Outside Employment*** Coordinator (or the job coordinator) and the employer no less than one-hour before the assignment.

- p) No employment outside the City limits for the purpose of law enforcement is allowed without prior approval from the Chief of Police or designee.
- q) No employee will work any job for cash *or other consideration such as reduction or waiver of rent for Police services.*
- r) A City employee may not use his/her City position as a referral for outside employment. An example of abuse would be a police officer referring the victim of a burglary to the officer's self-employed business for installation of new locks or an alarm system.
- s) City equipment, facilities, vehicles and supplies cannot be used as a support mechanism for employees relating to any outside employment, except with the *written* approval of the *Outside Employment Coordinator*. *Vehicles that are a part of the "Take Home Marked Vehicle Program" may be used for travel to and from the destination only.* This does not include standard uniform and equipment, (i.e. weapon, handcuffs *and* radio.) Vehicles, horses, bicycles, motorcycles, etc. may be approved if they provide a significant benefit to the Department. *Any officer who utilizes the usage of city equipment, facilities, vehicles and supplies without approval will be subject to suspension of extra-duty privileges for a period of 30 days.*
- t) *The Department reserves the right to charge a fee to be set by the Chief of Police for the use of specialty police equipment (i.e. Police motorcycles, vehicles, horses, etc.) If an additional fee is charged, a usage log must be maintained. Job Coordinators will be required to submit the usage log to the Outside Employment Coordinator by the 5th of the month that follows the usage of the specialized equipment (i.e. the PD-167 will be completed by Job Coordinator for Marked Vehicle usage for extra duty employment.)*
- u) No Department member will be permitted to work in an establishment where "on premise" alcoholic beverages are sold, regardless of the type of employment.

Exception: Certain establishments may be approved for officers to work the exterior of a business with a valid ABC license. Officers will respond to the interior only in response to a call for assistance and only for the time needed to handle the incident. This does not include special events sponsored by the City *and/or* City facilities with the approval of the *Outside Employment Coordinator*.
- v) Any pay dispute must be brought to the attention of the *Outside Employment Coordinator before any legal action is taken by an employee.*

- w) *Officers involved in the department's "Take-Home" program will not park their official department issued vehicle after work hours at locations other than their residence, as a deterrent, without being physically on-site.*

C. Administration:

1. The Richmond Police *Department's Extra-Duty Billing System*:

- a) The Richmond Police *Department's Extra-Duty Billing System* will be the official depository for all outside employment data. This will include employee and employer records. The *Department's Outside Employment Coordinator* will maintain and administer the system.
- b) All officers will have access to this system via Department computers. Officers should refer to *the Extra-Duty Billing System* user guide for navigation instructions.
- c) The Department must approve all outside employment. All jobs listed on the *Extra-Duty Billing System* have been approved. If a job is not listed in the *Extra-Duty Billing System*, it should be assumed it has not been approved and cannot be worked. It is the officer's responsibility to check the *Extra-Duty Billing System* to ensure a job is approved. *Any officer who works a job that is not approved can be suspended from working off-duty for a period up to 12 months by the appointing authority.*
- d) All "Short-term" jobs will be posted on the *Extra-Duty Billing System* and coordinated through that system. The system will allow all officers to view and immediately sign-up for posted short-term jobs. Officers that are assigned short-term jobs through the *Extra-Duty Billing System* are approved electronically and do not need to submit a *Secondary Employment Request, but must complete an Extra-Duty Job Assignment Notification Report.*

2. *Job Coordinators*:

- a) The *Outside Employment Coordinator* will determine which off-duty jobs require a coordinator. If a job qualifies for a coordinator, the *Outside Employment Coordinator* will assign one after posting the assignment. *The Outside Employment Coordinator will give priority consideration to Supervisors when Job Coordinator assignments are given.*
- b) *Police personnel, at any given time, shall only hold up to three (3) Job Coordinator positions. Captains and above will be limited to one (1) Job Coordinator position.*
- c) *Job Coordinators* will be responsible for the smooth operation of the off-duty assignment. Responsibilities will include the scheduling of officers, ensuring all paperwork is current and that all policies and procedures are

followed. *Job Coordinators must enter the monthly schedule of officers in the Extra-Duty Billing System no later than the 15th of the month that proceeds or as soon as the job becomes available for random assignments (i.e. June's calendar is due on the Extra-Duty Billing System no later than May 15th). Any changes to the calendar must be sent to the Outside Employment Coordinator as soon as practical. Failure to timely enter job assignments in the Extra-Duty Billing System will result in replacement of the Job Coordinator.*

- d) An employer may request that a particular officer be the job coordinator. Such requests will be taken into consideration but will not be binding.
- e) If an individual officer is approached by a business, organization or individual and asked to be their coordinator, the officer must make written application to the *Outside Employment* Coordinator. *Preference shall be given to officers securing new job sites for the Job Coordinator position.*
- f) Job Coordinators will be compensated 1 hour per week at the supervisor's rate in addition to any hours worked. When scheduling does not occur during a particular week, compensation will not be required to the Job Coordinator.
- g) Job Coordinators are not employment agents and will not receive additional payments from an employer *other than the compensation stated in this order*. Employees shall not profit or attempt to profit from the off-duty work of any other employee of the Department.

3. Selection Process:

- a) "Short term" - Short-term jobs will be posted on the *Extra-Duty Billing System* and are open to all officers. *The Extra-Duty Billing System will select an officer based on the officers requesting the job and the system's Fairness Rotation selection process. All cancellation of "Short Term" jobs must be made to the Outside Employment Coordinator. No cancellations will be granted within 5 business days of the event unless approved by the Outside Employment Coordinator.*
- b) "On-Going/Large" and "City Contract" Jobs:
 - (1) These jobs will have a coordinator assigned. *The Job-Coordinator will, as vacancies become available, request advertisement of vacancies of the job to the Outside Employment Coordinator.* This notice will list job specifications and indicate the number of officers needed to fill the "employee pool" for that job. *The Outside Employment Coordinator will advertise any vacancies that exist in the "Job Pool".*
 - (2) Officers interested in working *a particular job pool* will notify the Department's *Outside Employment* Coordinator by *request through the POSS Extra Duty System.*

- (3) If the ***Outside Employment*** Coordinator gets more applications than there are positions in the pool, the ***Outside Employment*** Coordinator will ***keep a waiting list of all those who have applied and utilize the fairness rule to select the next available candidate as vacancies become available. The waiting list will be utilized for a period of one calendar year.***
 - (4) Once the “pool” of officers is developed, the Job Coordinator will be required to distribute jobs equally among those officers. ***The Job Coordinator will utilize the Fairness Rotation process by utilizing the Extra-Duty Billing System. Any future vacancies will be filled by the Outside Employment Coordinator, giving preference to any employee who had applied for the pool but was not selected.***
4. Approval/Paperwork Requirements:
 - a) ***PD-12A, Outside Employment Requests (OER):***
 - (1) The ***PD-12A*** is required in the following circumstances:
 - (a) ***“Long Term/On-going” jobs.***
 - (b) “Short-term” jobs that are being coordinated by an officer not using the ***Extra-Duty Billing*** System will require the submission of a ***PD-12A***.
 - (c) ***Off-Duty*** employment and self-employment requires the submission of a ***PD-12A***.
 - (d) Volunteer work where the actual or potential use of law enforcement powers exists, will require a ***PD-12A***.
 - (2) The ***PD-12A*** form must be completed ***by the requesting officer*** and routed through the ***Unit OIC*** for initial approval and forwarded to the ***Outside Employment*** Coordinator for final approval.
 - (3) ***No PD-12A form is required for “Short-term” jobs procured through the Extra-Duty Billing System. These jobs will be administered through the Extra-Duty Billing System and approvals will be done electronically.***
 - (4) ***The PD-12B Form must be completed by the requesting Captain and above and routed through the Chief of Police for approval. Approved copy will be forwarded to the Outside Employment Coordinator.***

NOTE: No officer is permitted to work any outside employment until an approval has been received from the ***Outside Employment*** Coordinator (either electronically, verbally, or by hard copy of the ***PD-12A***). In emergencies, the ***Night Supervisor or Area*** Watch Commander may grant

temporary approvals. *Any officer that works outside employment without approval will be suspended from working extra-duty for a period of up to one year.*

b) Request for ***Extra-Duty*** Police Officers (PD-12):

This form is used to capture information on employers for later input into the ***Extra-Duty Billing System***. The form can be submitted by the employer or an officer *submitting it on behalf of* the employer.

c) ***Extra-Duty Job Assignment Notification Report:***

(1) *This report is submitted by personnel that work extra-duty employment. This report will be sent to the assigned officer by the Extra-Duty Billing System. The employee is required to verify actual hours worked. Any changes to the actual time worked should be corrected on this report and initialed. The employer will be required to sign the extra-duty Job Assignment Notification Report. The employee is required to submit the Extra-Duty Job Assignment Notification Report to his/her immediate supervisor with required signature(s) within 5 days of the assignment. Employees that work extra-duty employment must submit an Extra-Duty Job Assignment Notification after each assignment worked. Failure to submit the extra-duty Assignment Notification Report can result in suspension of the officer's privilege to work extra-duty employment.*

(2) *The immediate supervisor will be responsible for returning the extra-duty Job Assignment Notification Report to the Outside Employment Coordinator.*

e) ***Overtime or Off-Duty Report (PD-57):***

(1) Employees that work ***off-duty*** employment must submit the ***PD-57*** *within 5 days after the month has ended* and forwarded to the employee's immediate supervisor for signature. *Supervisors should forward all PD-57 forms to the Outside Employment Coordinator by the 10th of each month.*

(2) Employees must sign the ***PD-57*** certifying the information is true, accurate, and complete.

(3) Employees who fail to submit the PD-57 will face disciplinary action including ***restriction of*** off-duty privileges.

f) Employment Agreements (PD-119):

All ***extra-duty*** employment requires an executed ***Employer Agreement for Extra-Duty Police Officer*** (PD-119, ***PD-119a***, ***PD-119b*** or ***PD-119c***) to be submitted. The Department's ***Outside Employment*** Coordinator will

deliver the employment agreement to the potential employer in person, by mail or facsimile. The Department's ***Outside Employment*** Coordinator shall ensure that the employer clearly understands the form before it is executed and officers are permitted to work. ***The Outside Employment Coordinator will execute the PD-119's on behalf of the Police Department.***

g) Distribution and Filing:

(1) The ***Outside*** Employment Coordinator will maintain hard copy files as back up to computer files for PD-12, ***PD-12A & B*** and PD-119 ***forms***.

(2) The ***Outside*** Employment Coordinator will ensure that City Administrative Regulation #5.5 is met.

5. Requests for Off-Duty Police Services:

a) All businesses, organizations or individuals requesting the services of ***extra***-duty police officers must make a request for these services to the ***Outside*** Employment Coordinator ***within 5 business days to the event***.

b) Police employees may obtain information from a requesting business. This information should be recorded on a "Request for ***extra***-duty Police Officers" (PD-12) and forwarded to the Department's ***Outside Employment*** Coordinator.

c) In emergency cases, the ***Night Supervisor or Area*** Watch Commander may temporarily approve off-duty employment requests and may execute ***the*** PD-119 ***on behalf of*** the Department. ***All emergency approvals must be forwarded to the Outside Employment Coordinator within 24 hours of the incident.***

d) All employers must submit a signed "Employment Agreement" (PD-119) form before a request can be processed and any officer(s) assigned. No officer may work for an employer who has not executed a PD-119.

6. Compensation:

a) The Chief of Police will set the rate of pay for ***extra***-duty Richmond Police Officers. The rate of pay for department ***extra***-duty employment will be calculated at approximately one and one half times the base hourly rate for a Police Officer I at pay step #1 ***or higher as ordered by the Chief of Police***. On site supervisors' pay rates will be three dollars above the ***extra***-duty base rate ***unless a different rate is ordered by the Chief of Police***. Command Officer's pay will be six dollars above the ***extra***-duty base rate ***unless a different rate is ordered by the Chief of Police***. These rates will be posted via Executive Order.

b) ***Whenever another city agency is the employer, the employee must be paid at his/her OVERTIME RATE through the agency's payroll.***

- c) All **extra**-duty employment will be compensated at **the appropriate** pay rate. Individual officers will not negotiate pay rates.
- d) Employers of **extra**-duty officers will be required to pay time and one half the **assigned officer(s)** hourly rate(s) on all legal City of Richmond holidays and New Year's Eve. This includes functions at City owned facilities, as well as other employers.
- e) Employers will be required to compensate officer(s) a minimum of four hours, even if the assignment is of a shorter duration.
- f) If officers remain on assignment longer than originally contracted, the employer will compensate each officer a full hour pay for any portion of an hour worked beyond 15 minutes.
- g) ***Employees can pick up their check following their assignment during normal business hours at the office of the Outside Employment Coordinator. If additional payment arrangements have been made, the Outside Employment Coordinator will post this with the announcement notice.***
- h) Employers will pay either by **certified** check or money order. If standard deductions are not withheld, the employer will follow all appropriate Federal and State tax-reporting requirements. ***Short-term extra-duty employment will require employers to submit certified funds at least 24 hours prior to their requested assignment, unless prior approval has been granted by the OEC.***
- i) All employees will report all earned income to the proper entities.

7. Supervision Requirements:

- a) Whenever more than two and less than five police officers are employed **extra**-duty, at least one officer must function and be paid as an event supervisor and will function as the point of contact for the event.
- b) Organizations employing five or more officers at the same time, at the same site, will be required to hire at least one first-line supervisor in addition to the five officers. The first line supervisor will provide direct supervision of the assigned officers. An additional supervisory officer shall be required for each multiple of five patrol officers assigned to such sites. A Command Officer will be required for assignments that require three or more on-site supervisors. ***(example listed below)***
 - ***1 to 4 officers = no supervisor required; 1 officer will act as a supervisor and will be compensated as a supervisor when there are 3 or 4 officers working at the same time.***
 - ***5 to 10 officers = requires 1 first-line supervisor***

- *11 to 15 = 2 first-line supervisors*
 - *16 or more = 3 first-line supervisors and 1 Lieutenant*
- c) *Job coordinators are required to notify the Outside Employment Coordinator of extra-duty jobs requiring 5 or more officers at least seven days prior to the event or as soon as notification is made if within 7 days of the event. Site supervisors are required to make notification to the on-duty supervisors of affected precincts while marking 10-7 for the extra-duty assignment. The Outside Employment Coordinator will notify the Precinct Commander and Special Events Division Commander of the above listed events.*
- d) *The Job Coordinator will be responsible for preparing an operational plan when appropriate. Operational plans will be required, when attendance at any event is estimated to be 1000 persons or more and/or when the event requires 10 or more police personnel. In addition, the OIC of Special Events Division, his/her designee, and the Department Outside Employment Coordinator may require an operational plan for any event. When planning significant events, coordinators will discuss the event's potential impact with the Commander of the precinct, within which the event will be held.*
- e) *Operational plans must include sufficient police personnel to safely police the event and manage all peripheral issues associated with the event. Peripheral issues include, but are not limited to, traffic control related to the event. Operational plans are to be submitted to the Outside Employment Coordinator within 5 business days of the event. The Outside Employment Coordinator will forward all Extra-Duty Operational Plans to the OIC of Special Events Division at least three days prior to the event.*
- f) *The OIC of Special Events Division or his/her designee will have authority to approve or disapprove the operational plan, to include requiring additional extra-duty personnel. Event organizers, who do not wish to hire sufficient police personnel, may have their request for extra-duty personnel, street closing permits, parade permits, or parking permits denied.*

Note: On-duty supervisors should be aware of what *extra*-duty assignments are active in their areas and should make efforts to periodically conduct checks. The *Night Supervisor and Area* Watch Commander should report any *extra*-duty site checks to the *Outside* Employment Coordinator.

8. Radio Procedures:

- a) All officers working any *extra*-duty job will be required to mark in-service with the Division of Emergency Communications (DEC) via radio at the beginning of each assignment. Code numbers will be used preceded by the preamble "*extra*-duty", (Example: *Extra*-duty 994, *Extra*-duty 2412, etc.).

Officers will give their location, the type of assignment and their expected end of tour time.

- b) Officers are required to monitor the radio while working *extra*-duty assignments. If the nature of the assignment makes monitoring the radio impossible, the officer is required to have a pager or cell phone so DEC can make immediate contact if needed.
- c) At the end of the *extra*-duty assignment, officers will mark 10-7 and advise DEC of any actions taken.
- d) In any off-duty assignment where there are three or more officers working, the site supervisor will notify DEC by telephone and relay all appropriate information (code numbers, locations, EOT times). The site supervisor will also mark the detail 10-7 after ensuring all officers are accounted for. Individual officers will not need to mark in and out of service, but must still monitor the radio.
- e) A dispatcher from DEC shall notify the police supervisor in DEC of those officers who have failed to clear their *extra*-duty assignments as scheduled. The police DEC supervisor will then contact a patrol supervisor in the precinct where the assignment is located. It will be that supervisor's responsibility to ensure the well being of the officer who was working the *extra*-duty assignment. ***Any officer who continuously fails to mark off-duty is subject to suspension of extra-duty privileges for a period of 30 days.***
- f) Officers working any patrol overtime must identify that fact to DEC when marking in-service. Court overtime is excluded.

VI. **ROLES AND ACCOUNTABILITY**

A. ***Outside Employment Coordinator (OEC):***

- 1. ***All outside employment will be coordinated and/or maintained by the Outside Employment Coordinator.***
- 2. ***All jobs (PD-12A) must be approved by the Outside Employment Coordinator.***
- 3. ***All officers must receive final approval from Outside Employment Coordinator prior to working any Outside Employment.***
- 4. ***The Outside Employment Coordinator will deliver in person, by mail or facsimile the employer agreement form to all potential employers and will maintain hard copy files.***
- 5. ***May approve officers working a combination of up to seventy-six (76) hours in any consecutive seven day period.***

6. *May approve officers working a combination of up to 144 hours (including patrol overtime, off-duty and extra employment and leave) in any consecutive four-week period. The only exceptions will be due to a primary job related emergency and due to court overtime.*
7. *Will receive requests to work extra-duty from a Probationary Lateral Officer.*
8. *Will receive approval in writing granting a probationary police officer to work department sponsored overtime if the officer has clearly demonstrated the ability to work without close supervision.*
9. *Will review any pay dispute before any legal action is taken by the employee.*
10. *Will keep a waiting list of all those who have applied when there are more applications than positions in the pool and utilize the fairness rule to select the next available candidate as vacancies become available.*
11. *Will receive PD-57 forms from officer's immediate supervisor.*

B. *Job Coordinators:*

1. *Must only schedule extra-duty personnel who have been approved by the Outside Employment Coordinator for individual assignments.*
2. *Coordinate job responsibilities for individual assignments.*
3. *Must enter the monthly schedule of officers on the Extra-Duty Billing System no later than the 15th of the preceding Month or as soon as the job becomes available for random assignments.*
4. *Is responsible for notifying the Outside Employment Coordinator of any cancellations and replacement of personnel for assignments.*
5. *Must notify the OEC of extra-duty jobs requiring 5 or more officers.*
6. *Will be responsible for preparing an operational plan when appropriate.*
7. *Must notify the OEC of findings from an investigation in writing of allegations of unsatisfactory performance by officers while engaged in outside employment.*
8. *Will be required to distribute jobs equally among officers by using the Fairness Rotation process from the Extra-Duty Billing System.*
9. *Will submit a PD-167, Marked Vehicle Usage Log, to the Outside Employment Coordinator by the 5th of the month that follows the usage.*

C. *Site Supervisors:*

1. *Must make notification to the on duty supervisor of events requiring 5 or more officers while marking 10-7.*
2. *Must be a first line supervisor if there are five or more officers working an assignment at one time. An additional supervisor is required for each multiple of five officers working. A Command Officer will be required for assignments that require three or more on site supervisors.*
3. *Must notify DEC by phone with appropriate information when three or more officers are working.*
4. *Must notify the OEC of findings from an investigation in writing of alleged unsatisfactory performance by officers while engaged in outside employment.*

D. Chief of Police:

1. *Will review revocations if it is determined that employment is not in the best interest of the Department.*
2. *Will set the rate of pay for extra-duty employment.*
3. *Has authority to give prior approval for an officer to work outside City limits for the purpose of law enforcement.*

E. Chief of Staff:

May approve the wearing of plainclothes during extra-duty employment via written approval.

F. Night Supervisor or Area Watch Commander:

1. *May temporarily approve off-duty employment requests.*
2. *All emergency approvals must be forwarded to the OEC within 24 hours of the incident.*

G. Captains and above:

Shall not engage in extra-duty employment without the specific approval of the Chief of Police.

H. Immediate Supervisor:

1. *Will be responsible for initial approval of the PD-12A.*
2. *Will be responsible for returning the Extra Duty Job Assignment Notification Report to the OEC.*
3. *Should grant approval of probationary police officer to work department sponsored overtime if the officer has clearly demonstrated the ability to work without close supervision.*

4. *Approval will be in writing and forwarded to the Training and Development Unit with a copy to the OEC.*
5. *Must sign PD-57 and forward to the OEC by the 10th of each month.*

I. *Officer Working Extra-Duty:*

1. *Must submit an Outside Employment Request, (PD-12A) to the Outside Employment Coordinator through the Unit OIC for each job.*
2. *Must receive approval from the Employment Coordinator before working any Outside Employment.*
3. *Must comply with work hour restrictions.*
4. *Must submit an Extra-Duty Job Assignment Notification Report to the Employment Coordinator after any extra-duty employment is worked.*
5. *May be called back to work in case of an emergency.*
6. *Must report use of force in any manner to an on-duty precinct supervisor immediately.*
7. *Must report any arrest to an on-duty supervisor.*
8. *Must sign a memorandum of understanding if working for multiple vendors to ensure all parties are aware of stipulations or guidelines set in place.*
9. *May not engage in patrol overtime or outside employment for more than 16 hours in any consecutive 24 hours.*
10. *May not work any combination of jobs that will require driving a vehicle over 13 hours in any consecutive 24 hour period.*
11. *Must have eight hours rest during the 16 hours period prior to reporting for regular duty.*
12. *Shall not work a combination of seventy-six (76) hours within a 7 day period without prior approval from the OEC. The only exception will be due to primary job related emergency and due to court overtime.*
13. *Shall not work more than a combination of 144 hours (including patrol overtime, off-duty and extra employment and all leave) in any consecutive four-week period without prior approval from the OEC due to primary job related emergency and due to court overtime.*
14. *Are restricted from working extra-duty assignments with immediate family members.*

15. *Are restricted from wearing of plainclothes without direct written approval of the Chief of Staff.*
16. *Shall not engage in any outside employment during on-duty hours.*
17. *Shall not engage in outside employment while on injury leave, leave without pay, light-duty, military leave, probationary status, any leave other than vacation or compensatory leave, nor when they have had their police powers suspended.*
18. *Shall not work any job for cash or other consideration such as reduction or waiver of rent for Police services.*
19. *Shall not work outside City limits for the purpose of law enforcement without prior approval from the Chief of Police.*
20. *Shall be prohibited from working in an establishment where on premise alcoholic beverages are sold, regardless of the type of employment. (See exception above).*
21. *Shall not park their official departmental issued vehicle at locations other than their residence as a deterrent without being physically on-site.*
22. *Must bring all pay disputes to the OEC before any legal action is taken.*
23. *Will notify the Department's OEC if interested in working a particular job pool.*
24. *Shall be required to mark in-service with DEC via radio at the beginning of each assignment.*
25. *Shall be required to monitor the radio while working extra-duty assignments.*
26. *Shall be required to mark 10-7 and advise DEC of any actions taken.*
27. *Shall be suspended of extra-duty privileges for a period of 30 days if continuously failing to mark-off duty.*

J. Probationary Police Officer:

1. *Will be prohibited from working extra-duty for private concerns.*
2. *May work department sponsored overtime with approval of the immediate supervisor.*

K. Probationary Lateral Officer:

1. *Must display proficiency in current on-duty assignment in order to work extra-duty.*

2. *Must receive approval by immediate supervisor to work extra-duty.*
 3. *Approval must be in writing and forwarded to the Training and Development Unit with a copy to the OEC.*
- L. *Police Recruit:*
Is prohibited from working outside employment while undergoing phase training.
- M. *Employees working off-duty:*
Must sign and submit the PD-57 within 5 day after the month has ended.
- N. *Personnel and Recruitment Unit:*
Must notify the OEC of any unsatisfactory performance evaluations disciplinary action that precludes an employee from working.
- O. *Discipline Review Officer (DRO):*
Must notify OEC of any disciplinary action that precludes an employee from working.
- P. *Training and Development Unit:*
 1. *Will receive requests to work extra-duty from a Probationary Lateral Officer.*
 2. *Will receive approval in writing granting a probationary police officer to work department sponsored overtime if the officer has clearly demonstrated the ability to work without close supervision.*
- Q. *Special Event Division OIC:*
Will have authority to approve or disapprove the operational plan from the job coordinator.
- R. *Division of Communication (DEC):*
Shall notify the police supervisor in DEC of those officers who have failed to clear their extra-duty assignment as scheduled.

VII. **FORMS**

- A. *PD-12, Request for Extra-Duty Police Officers*
- B. *PD-12A, Outside Employment Request*
- C. *PD-12B, Outside Employment Request, Captains and Above*
- D. *PD-57, Overtime or Off-Duty Report*

- E. *PD-119, Employer Agreement For Extra-Duty Police Services*
- F. *PD-119A, Funeral Home Employer Agreement For Extra-Duty Police Services*
- G. *PD-119B, Other City Departments Employer Agreement For Extra-Duty Police Services*
- H. *PD-119C, Employer Agreement For Extra-Duty Police Services*
- I. *PD-167, Extra Duty Employment – Marked Vehicle Usage Log*
- J. *Extra-Duty Job Assignment Notification Form*